RAJYA SABHA

Thursday, the 8th May, 2003/18 *Vaisakha,* 1925 (*Saka*)

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

Indo Bangla Migrants Issue

*661. SHRI K.B. KRISHANA MURTHY : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether India and Bangladesh have agreed to solve the migrants issue on the basis of their 1992 joint communique;

(b) whether Dhaka has consistently and resolutely denied existence of its citizen on the Indian soil ;

(c) if so, whether India has presented detailed documentary proof in this regard; and

(d) if so, Bangladesh Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI VINOD KHANNA) : (a) to (d) A Statement is placed on the Table of the House.

Statement

(a) to (d) The Government has been concerned about large scale, illegal immigration from Bangladesh into India. The Government has been taking up the issue of illegal immigration with the Government of Bangladesh regularly. However, the Government of Bangladesh has been denying that large scale illegal immigration is taking place.

2. During the visit of Mr. M. Morshed Khan, Foreign Minister of Bangladesh on February 13-15, 2003, the issue of illegal immigration, including the need for tightening border control to prevent all kinds of illegal cross-border movement was discussed in detail. Further discussions were held during the Foreign Secretary level talks with Bangladesh on 29th April, 2003 and Director General-level talks held between Border Security Force and Bangladesh Rifles on April 27 to May 1, 2003 in Dhaka.

3. Following detailed discussions India and Bangladesh have committed to cooperate on the basis of the Joint Communique issued on 28th May, 1992 on

the occasion of the visit of Her Excellency the Prime Minister of Bangladesh to India. Tighter border control is expected to lead to a decrease in the number of illegal migrants.

4. Generally illegal immigrants do not possess travel or identity documents. However, when available evidence on illegal Bangladeshi nationals in India has been shared, the Government of Bangladesh has taken back its nationals, after due verification of their nationality.

SHRI K.B. KRISHNA MURTHY : Mr. Chairman, Sir, I would like to know from the hon. Minister whether the Government has taken a decision to repeal the IDMT Act, 1983. If so, has the Government all along felt that this was a major impediment in checking large-scale influx of migrants from the neighbouring countries? Part (b) of my question is: Has the Government of Assam expressed its apprehension that repealing of the Act would result in victimisation of minorities in the State? I would also like to know whether the Government is engaged in damage control of the situation arising out of the large-scale influx of migrants from Bangladesh. What are the reasons for not taking any preventive measures in the first place to check the entry of such illegal migrants into India?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI YASHWANT SINHA): Sir, so far as the first part of the question is concerned, it is correct that the Cabinet has decided for the repeal of this Act. The repealing Bill will come to Parliament very soon and I am sure, the hon. Members would have an opportunity of discussing it. So far as part (b) of his question is concerned, I very humbly submit that it would not be right to say that the Government has not taken any steps. The Government has been taking steps all along to prevent illegal migration from Bangladesh and we have reasons to believe that in recent years we have met with considerable success also.

SHRI K.B. KRISHNA MURTHY : Is it true that various Government agencies are harassing *bona fide* minorities, i.e. Muslims of India, on the pretext of checking illegal migrants from Bangladesh? Part (b) of my question is : What action has the Government of India taken against the erring officials involved in harassing the *bona fide* minorities? Part (c) of my question is: Would the Government assure the House that *bona fide* minorities would not be harassed by the Government agencies while checking illegal migrants from Bangladesh?

SHRI YASHWANT SINHA : Sir, I strongly refute the comment that genuine minorities in this country are being harassed in the name of checking illegal

immigrants. There is a process through which illegal immigrants are identified. There is a process through which they are deported. Therefore, it will not be right to say that the minorities in this country are being harassed on that score. Part (b) of his question was...

SHRI K.B. KRISHNA MURTHY : What action has the Government taken against the erring officials involved in harassing the *bona fide* minorities?

SHRI YASHWANT SINHA : The question of taking action against the officials does not arise. This part of his question relates to the Ministry of Home. We are not managing the BSF on a day-to-day basis. The Ministry of External Affairs is concerned with the foreign policy aspects of illegal migrants.

श्री सतीश प्रधान : सभापति जी, मैं आदरणीय मंत्री जी से जानना चाहता हूं कि क्या यह बात सच है और क्या सरकार इस विषय पर आगे कुछ गौर करने वाली है कि बहुत सारे बंगलादेशी घुसपैठिए यहां आकर रह रहे हैं और रहने के बाद वे म्युनिसिपल उर्दू स्कूलों में अपने बच्चों को एडमिशन दिलाते हैं। एडमिशन दिलाते समय उनके पास बर्थ सर्टिफिकेट नहीं होता, लेकिन फिर भी एडमिशन मिल जाती है । उसके कुछ दिनों बाद वे स्कूल से अपने बच्चों के नाम निकाल लेते हैं और नाम निकालने के बाद उनको स्कूल लीविंग सर्टिफिकेट मिलता है। वही स्कूल लीविंग सर्टिफिकेट लेकर फिर वे इंडियन नेशनल की हैसियत से राशन कार्ड या बाकी सब सुविधाएं हासिल करने की कोशिश करते हैं। क्या यह विषय सरकार के ध्यान में आया है और यदि आया है तो आप ने क्या कार्यवाही की है ? यदि नहीं आया है तो आप इस विषय-पर क्या कार्यवाही करने जा रहे हैं ?

SHRI VINOD KHANNA : Mr. Chairman, Sir, there are various ways in which the illegal Bangladeshis manage to procure all these ration cards, etc., etc. But the whole identification and deportation process is with the State Governments. The State Governments have formed nodal agencies; they have to find these people, identify them and, thereafter, deport them. The Central Government does not keep a record of these issues that the hon. Member is talking about. We have given the entire authority to the State Governments. And, wherever the State Government, the police, finds such people, it is their duty to identify them, to verify whether they are Indian nationals or Bangladeshi nationals and then hand them over to the BSF.

श्री सतीश प्रधान : सर,

श्री सभापति : बस हो गया, अब मैं आप को अलाउ नहीं करूंगा। आप का जवाब दे दिया है। स्टेट गवर्नमेंट को पावर दी गयी हैं।

श्री सतीश प्रधान : सर, स्टेट गवर्नमेंट को पावर देने से यह कार्य होने वाला नहीं है। बांग्लादेशी घुसपैठी यहां आते हैं, रहते हैं और आप इसे स्टेट गवर्नमेंट पर छोड़ देंगे तो कैसे चलेगा ?

श्री सभापति : वैरीफाई तो वही करेंगे, आईडेंटीफाई करेंगे कि इतने बांग्लादेशी आए हैं। भारत सरकार को पूछेंगे तो भारत सरकार आएगी।

श्री सतीश प्रधान : सर, भारत सरकार को इस विषय पर ध्यान देना है ... **(व्यवधान)** ... यह तो राष्ट्रीय मुद्दा है। लोग बाहर से आते हैं और उनका आईडेंटीफाई न करते हुए वे स्कूलों में नाम दर्ज कराते हैं, तो उस के ऊपर कार्यवाही करनी पड़ेगी।

MR. CHAIRMAN : Now, Shri Nilotpal Basu.

SHRI NILOTPAL BASU : Mr. Chairman, Sir, it is precisely in this approach that the problem to this issue is involved because certain soothing statements are made. First of all, it is said that the authorities in the Urdu municipal schools are colliding with illegal entrants from Bangladesh. This is the presumption on which we have started moving. But, what I am saying is...*(Interruptions)*...

SHRI SATISH PRADHAN : This is not a presumption.

MR. CHAIRMAN : Let him speak. ...*(Interruptions)*

SHRI NILOTPAL BASU : What is the proof for all these things ? ...*(Interruptions)*... We passed the Foreigners' Act yesterday in this House. And, Parliament has empowered the State Governments to apply the Foreigners' Act. It is a Central Act, but, by that Act, we have empowered the State Governments. Now, how are you presuming that the State Governments are callous, and all repositories of wisdom are with the Central Government, and that they are all, actually, aiding and abetting infiltration? This is the presumption on which you are moving, and, that is why, a fear psychosis is there among the genuine Indian citizens. So, what I want to know is whether the Government is evolving any credible method, in cooperation with the State Governments, to transparently create a data-base to find out how many such illegal infiltrators are there in this country.

SHRI YASHWANT SINHA : Sir, the short answer to this supplementary is this. The Central Government is working in close collaboration with the State Governments in order to be able to tackle the problem. There is an established procedure under which the various agencies of the State Governments and Central Government are supposed to operate. And, we have an understanding with the Government of Bangladesh, spread over a period of time, since 1991, under which we implement these arrangements.

SHRI SHANKAR ROY CHOWDHURY : Sir, I would like to know whether the Indian and the Bangladesh Governments have now worked out an accepted procedure by which the Bangladesh Government will accept illegal migrants being pushed back or deported to Bangladesh under the recent Foreign Secretary level talks ?

SHRI VINOD KHANNA : Sir, unfortunately, even up to this date, Bangladesh has not accepted that there is illegal migration in India. They don't even accept the fact that there is illegal migration in India. But, whenever we have investigated, verified these people, and taken them to the border, they have accepted these people; they have been cooperative with us. But there is no such established procedure by which they will take back the nationals whom we identify. After all we are the complainants. We have to prove that they are non-nationals; we have to prove that they are Bangladeshi nationals. Then, they will verify and take the people back.

श्री सभापति : मैं माननीय विदेश मंत्री जी से निवेदन करूंगा कि यह समस्या सारे राज्यों में है। इस समस्या के संबंध में आप राज्यों की सरकारों के साथ बैठकर बात करें और कोई ऐसा प्रोसीजर निकालें जिस से आप को समय-समय पर जानकारी मिलती रहे और आप उन की रोकथाम कर सकें।

Mobile telephone facility

*662. SHRI KALRAJ MISHRA : Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether certain regions in the country are still deprived of the mobile telephone facility;

(b) if so, the details thereof and the reasons therefor; and

(c) the steps being taken to provide these areas with such facilities?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND MINISTER OF DISINVESTMENT (SHRI ARUN SHOURIE): (a) to (c) A Statement is laid on the Table of the House.

(a) Yes, Sir.

(b) and (c) Consequent to the grant of licenses for Cellular Mobile Telephone Service (CMTS) to private operators, Cellular Services were first started in the four Metro City Service Areas of Delhi, Mumbai, Kolkata and Chennai from August, 1995 onwards and thereafter in the Telecom Circle Service Areas beginning December, 1996. After adoption of New Telecom Policy-1999